

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

<b>TEXTRON INNOVATIONS INC.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>C. A. No. 05-486 (GMS)</b>
	)	
	)	<b>JURY TRIAL DEMANDED</b>
	)	
<b>THE TORO COMPANY,</b>	)	
	)	
<b>Defendant.</b>	)	

**NOTICE OF VIDEOTAPED DEPOSITION OF RICK RODIER**

To: The Toro Company and its attorneys:

Anthony R. Zeuli, Esquire  
MERCHANT & GOULD P.C.  
3200 IDS Center  
80 South 8<sup>th</sup> Street  
Minneapolis, MN 55402

Richard L. Horwitz, Esquire  
POTTER ANDERSON & CORROON LLP  
Hercules Plaza, 6<sup>th</sup> Floor  
1313 N. Market Street  
Wilmington, Delaware 19899-0951

PLEASE TAKE NOTICE that Plaintiff, Textron Innovations Inc., will take the deposition by oral examination of Rick Rodier commencing on **October 18, 2006**, beginning at **9:00 a.m.** at the offices of Frederikson & Bryon, P.A., 200 South Sixth Street, Suite 4000, Minneapolis, Minnesota or at some other place mutually agreed upon by counsel.

Said deposition will be taken by stenographic and videographic means before a notary public and will continued from day to day as necessary until completed.

This Notice serves as formal notice of the deposition informally noticed on October 5, 2006.

Dated: October 6, 2006

THE BAYARD FIRM



Edmond D. Johnson (#2257)

Peter B. Ladig (#3513)

Katharine V. Jackson (#4800)

222 Delaware Avenue, Suite 900

Wilmington, DE 19801

Telephone: (302) 655-5000

Facsimile: (302) 658-6395

Attorneys for Plaintiff

TEXTRON INNOVATIONS INC.

OF COUNSEL:

Scott L. Robertson

Christopher C. Campbell

HUNTON & WILLIAMS LLP

1900 K Street, N.W.

Washington, D.C. 20006-1109

Telephone: (202) 955-1500

Facsimile: (202) 778-2201

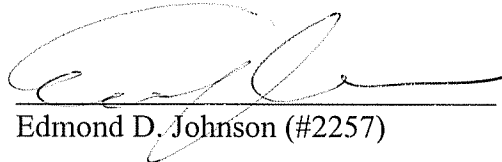
**CERTIFICATE OF SERVICE**

I, Edmond D. Johnson, hereby certify that on the 6<sup>th</sup> day of October, 2006, I electronically filed the foregoing ***NOTICE OF VIDEOTAPED DEPOSITION OF RICK RODIER*** with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

Richard L. Horwitz, Esquire  
POTTER ANDERSON & CORROON LLP  
Hercules Plaza, 6<sup>th</sup> Floor  
1313 N. Market Street  
Wilmington, Delaware 19899-0951

Via facsimile and first class mail upon:

Anthony R. Zeuli, Esquire  
MERCHANT & GOULD P.C.  
3200 IDS Center  
80 South 8<sup>th</sup> Street  
Minneapolis, MN 55402

  
Edmond D. Johnson (#2257)